UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

Albany College of Pharmacy and Health Sciences,

Plaintiff,

٧.

Acer, Inc., Gateway, Inc., Galaxy Acquisition, Corp. and Acer American Corporation,

Defendants.

No. 1:09-CV-0089 FJS/RFT
STIPULATION FOR DISMISSAL

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff Albany College of Pharmacy and Health Sciences and Defendants Acer, Inc., Gateway, Inc., Galaxy Acquisition, Corp. and Acer America Corporation, by and through undersigned counsel, hereby stipulate to the dismissal of the above-captioned action in its entirety, including all claims therein, with prejudice and with each party to bear its own fees and costs.

Dated: February 25, 2010

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Attorneys for Plaintiff Albany College of Pharmacy and Health Sciences

SO ORDERED

FREDERICK J. SCULLIN, JR. SENIOR U.S. DISTRICT JUDGE

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